

REMARKS

The non-final Office Action dated December 11, 2008 has been received and carefully noted. The following remarks are being submitted as a full and complete response thereto.

Claims 6-8 and 11-17 are pending in this application. Claims 11-17 are withdrawn from consideration. Claims 6-8 are rejected.

Claims 6-8 are rejected on the basis of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-3 of U.S. Patent No. 7,199,079. Applicants submit herewith a Terminal Disclaimer over U.S. Patent No. 7,199,079 and request reconsideration and withdrawal of the double patenting rejection over this patent.

Claims 6-8 are further rejected on the basis of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claim 1 of U.S. Patent No. 7,259,127. Applicants respectfully traverse this rejection. Applicants submit that claims 6-8 recite a production method for a purification catalyst for exhaust gas, wherein Pd and PdO are supported on LnAlO_3 . In contrast, claim 1 of U.S. Patent No. 7,259,127 recites a production method for a purification catalyst for exhaust gas, wherein the catalyst comprises a Pd-based composite oxide; however, claim 1 of U.S. Patent No. 7,259,127 does not recite Pd and PdO on a support or Pd and PdO supported on LnAlO_3 . Applicants, therefore, respectfully submit that claims 6-8 of the instant

RESPONSE UNDER 37 C.F.R. §1.111

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application are not obvious over claim 1 of U.S. Patent No. 7,259,127 and request reconsideration and withdrawal of the double patenting rejection.

Claims 6-8 are further provisionally rejected on the basis of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 6-8 of copending Application Number 10/568,505. Applicants respectfully traverse this rejection. Applicants submit that claims 6-8 of copending Application Number 10/568,505 recite methods for production of a purification catalyst for exhaust gas, wherein the purification catalyst comprises a Pd oxide wherein Ln_2PdO_4 is supported by LnAlO_3 . In contrast, instant claims 6-8 recite a production method for a purification catalyst for exhaust gas, wherein Pd and PdO, not Ln_2PdO_4 , are supported by LnAlO_3 . Applicants, therefore, respectfully submit that claims 6-8 of the instant application are not obvious over claims 6-8 of copending Application Number 10/568,505 and request reconsideration and withdrawal of the double patenting rejection.

The Office Action states that the Information Disclosure Statements filed on 02/06/2006, 04/25/2007, 08/10/2007, and 06/11/2008 allegedly fail to comply with the provisions of 37 C.F.R. §1.97, §1.98 and MPEP §609. Applicants note that a statement of relevance of the non-English references submitted in these Information Disclosure Statements was included in the respective letters accompanying the Information Disclosure Statements. Accordingly, Applicants respectfully submit that the Information Disclosure Statements comply with the provisions of 37 C.F.R. §1.97, §1.98 and MPEP §609.

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Finally, Applicants appreciate the Examiner's indication that claims 6-8 are allowable.

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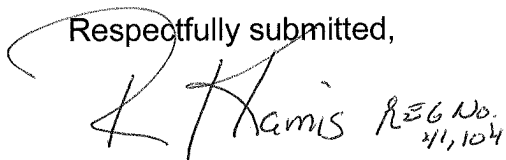
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CONCLUSION

Applicants respectfully submit that this application is now in condition for allowance under the PPH program.

The Commissioner is hereby authorized to charge any fees that may be due with respect to this paper to Counsel's Deposit Account Number 01-2300, referencing Docket Number 108421-00126.

Respectfully submitted,



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